

Appl. No. : 10/765,001  
Filed : January 26, 2004

RECEIVED  
CENTRAL FAX CENTER  
JAN 29 2007

REMARKS

This is responsive to the Examiner's Office Action dated December 28, 2006. None of the claims have been amended or canceled. Thus, Claims 1-24 remain pending in this application.

The Examiner issued a Restriction Requirement and asserted that the claims are directed to two distinct inventions as follows:

- Invention I: Claims 1-10; and
- Invention II: Claims 11-24.

Though Applicant does not necessarily acquiesce to the basis of this Restriction Requirement, to advance prosecution, Applicant hereby elects Invention I Claims 1-10. Claims 11-24 have been withdrawn.

*Applicant would like to point out that in the parent Application Serial No. 09/945,388, filed August 30, 2001, the same Examiner of the same Art Unit had examined substantially the same, if not identical, Claims 1-24. This resulted in an Office Action, dated July 25, 2003, based on the merits of Claims 1-24.*

Thus, Applicant submits that it would not be an undue or serious burden on the Examiner to consider all the Claims 1-24 for examination. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the Restriction Requirement, and consider rejoinder of Claims 11-24 for examination on the merits.

As also indicated below, the Examiner is welcome to call the undersigned Attorney of Record to discuss the Restriction Requirement and the instant Response so that prosecution of this application may be expedited.

Appl. No. : 10/765,001  
Filed : January 26, 2004

RECEIVED  
CENTRAL FAX CENTER  
JAN 29 2007

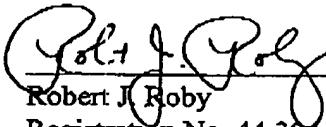
### CONCLUSION

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved. Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1-29-2007

By:   
Robert J. Roby  
Registration No. 44,304  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

3352815  
012607